

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Koehler, et al.)
)
 Application No.: 10/533,060)
)
 Filed: April 27, 2005)
)
 For: Compounds, Methods and Devices)
 for Inhibiting Neoproliferative Changes)
 in Blood Vessel Walls)

Art Unit: Not Assigned

Examiner: Not Assigned

Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 17, 2006.

By:

Francine Sanders, Assistant

**Response to Notification of Missing Requirements Under 35 U.S.C. 371
 in the United States Designated/Elected Office (DO/EO/US)
Transmittal Letter**

Dear Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) mailed September 16, 2005.

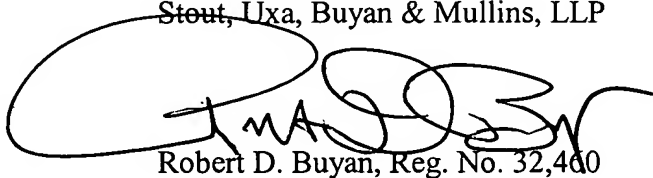
- ☒ In accordance with Rule 136, the Commissioner is hereby petitioned for a **two (2)** month extension of time, extending to **January 17, 2006** the period for response to the Office action dated **September 16, 2005**. Check No. 3961 in the amount of \$290.00 (\$65.00 for filing fees and \$225.00 for extension fees)
- ☒ Enclosed is a Declaration of Inventorship and Limited Power of Attorney.
- ☒ Enclosed is a Power of Attorney by Assignee and Exclusion of Inventor(s) Under 37 C.F.R. 3.71.
- ☒ Applicant hereby claims small entity status.
- ☒ Enclosed is an Information Disclosure Statement.
- ☒ Enclosed is a Sequence Listing, diskette and transmittal.

- ☒ Check No. 3961 in the amount of \$290.00 (\$65.00 for filing fees and \$225.00 for extension fees)
- ☒ The Commissioner is hereby authorized to charge any underpayment and credit any overpayment of the filing fees required under 37 CFR § 1.16 and any patent application processing fees required under 37 § CFR 1.17 to Deposit Account No.50-0878.

Respectfully submitted,

Stout, Uxa, Buyan & Mullins, LLP

Date: January 17, 2006



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01/18/2006 MAYPAGH 00000082 10533060

01 10533062 225.00 02

01/18/2006 MAYPAGH 00000082 10533060

02 10533067 65.00 02



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
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www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/533,060	Ralf Koehler	UCIVN-020US

INTERNATIONAL APPLICATION NO.	
PCT/US03/34837	
I.A. FILING DATE	PRIORITY DATE
10/30/2003	10/30/2002

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CONFIRMATION NO. 5867

371 FORMALITIES LETTER



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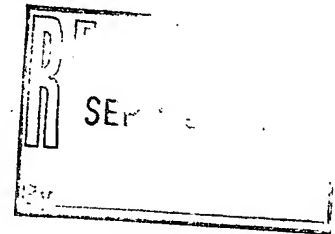
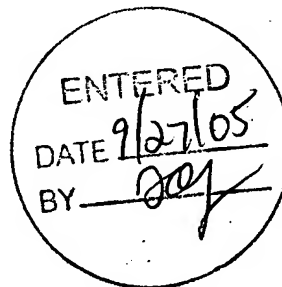
Response One 11/16/05

Date Mailed: 09/16/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 04/27/2005
- Copy of the International Search Report filed on 04/27/2005
- Small Entity Statement filed on 04/27/2005
- U.S. Basic National Fees filed on 04/27/2005
- Priority Documents filed on 04/27/2005
- Specification filed on 04/27/2005
- Claims filed on 04/27/2005
- Abstracts filed on 04/27/2005
- Drawings filed on 04/27/2005
- Appendices to the Specification filed on 04/27/2005



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- **\$65 Surcharge.**

- This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c) Applicant must provide an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment specifically directing its entry into the application and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000).
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patent Software Program Help @ ebc@uspto.gov

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/533,060	PCT/US03/34837	UCIVN-020US

FORM PCT/DO/EO/905 (371 Formalities Notice)